

UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW HAMPSHIRE

Melissa A. Alexander, et al.

v.

Civil No. 06-cv-443-JD

Best Rate Funding Corp., et al.

ORDER

Attorney David Garfunkel filed a Motion to Withdraw as Counsel for Best Rate Funding Corp. Attorney Garfunkel's Motion was granted by Magistrate Judge James R. Muirhead on September 13, 2007.

An Order was subsequently issued and sent to Best Rate Funding Corp. ordering new counsel to appear by October 4, 2007 or the case would be referred to a judicial officer for further action.

To date, no appearance having been filed on behalf of Best Rate Funding Corp, it is herewith ordered that default is entered against Best Rate Funding Corp.

As to the Third-Party action Best Rate Funding Corp. filed against Lender Services Direct, Inc., the court herewith dismisses that complaint for want of prosecution.

By November 19, 2007, the Plaintiffs shall submit a motion for default judgment and, if appropriate under Fed. R. Civ. P. 55(b)(1), an affidavit specifying damages. Unless notified by the court that the motion has been approved, a damages hearing will be held before Magistrate Judge Muirhead on Tuesday, December 4, 2007 at 10:00 AM.

SO ORDERED.

October 23, 2007

/s/ Joseph A. DiClerico, Jr.

Joseph A. DiClerico, Jr.
United States District Judge

cc: Christopher M. Lefebvre, Esq.
Richard Gaudreau, Esq.
Paul DeCarolis, Esq.
Rhonda Thomas, Esq.